

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

BRIAN GIFFT,

Petitioner,

v.

CIVIL ACTION NO. 2:20-cv-00094

STATE OF WEST VIRGINIA,

Respondent.

**ORDER**

This action was referred to United States Magistrate Judge Omar Aboulhosn for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On February 12, 2020, Magistrate Judge Aboulhosn submitted his Proposed Findings & Recommendations [ECF No. 4] (“PF&R”) and recommended that the court dismiss without prejudice Petitioner’s Petition under 28 U.S.C. § 2254 for Writ of *Habeas Corpus*. Neither party timely filed objections to the PF&R nor sought an extension of time.

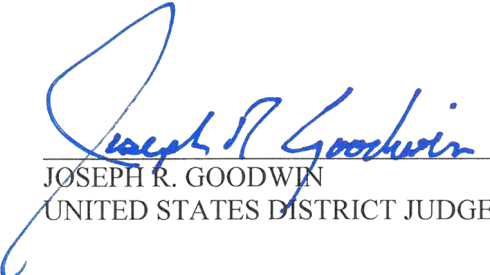
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge

as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court **DISMISSES without prejudice** this matter from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER:      March 12, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE